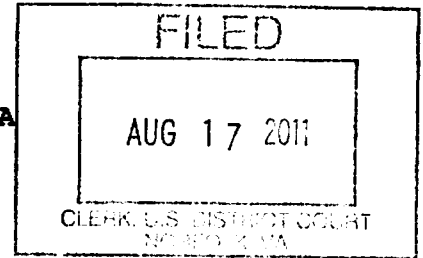


**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



TYVETTE MCBRIDE,

Plaintiff,

v.

ACTION NO. 2:10cv440

SOCIAL SECURITY,

Defendant.

FINAL ORDER

Plaintiff brought this action under 42 U.S.C. § 405(g) seeking judicial review of the decision of the Commissioner of the Social Security Administration denying her claims for Disability Insurance Benefits (DIB) and Supplemental Security Income (SSI) benefits under Title II and Title XVI of the Social Security Act.

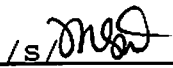
This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Local Rules of the United States District Court for the Eastern District of Virginia, for a report and recommendation. The Report and Recommendation of the Magistrate Judge was filed on August 2, 2011, recommending that Defendant's Motion to Dismiss the Complaint be GRANTED and that Plaintiff's Complaint be DISMISSED pursuant to Federal Rule of Civil Procedure 41(b). By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the

Magistrate Judge. The Court has received no objections to the Magistrate Judge's Report and Recommendation, and the time for filing same has expired.

The Court hereby ADOPTS the findings and recommendations set forth in the report of the United States Magistrate Judge filed on August 2, 2011, and Defendant's Motion to Dismiss the Complaint (ECF No. 16) is GRANTED and Plaintiff's Complaint is DISMISSED pursuant to Federal Rule of Civil Procedure 41(b).

Plaintiff is ADVISED that she may appeal from this Final Order by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. Said written notice must be received by the Clerk within sixty (60) days from the date of this Final Order.

The Clerk shall forward a copy of this Final Order to counsel and to the pro se plaintiff.



Mark S. Davis
United States District Judge

Norfolk, Virginia

August 17, 2011